

# MINUTES SUMMARY OF THE COMMERCIAL FISHING INDUSTRY VESSEL ADVISORY COMMITTEE MEETING

**AUGUST 31 – SEPTEMBER 1, 1998**

A meeting of the Commercial Fishing Vessel Advisory Committee (CFIVAC) was held at the United States Coast Guard Headquarters, Washington, DC. Representing the Coast Guard were RADM North, Assistant Commandant for Marine Safety and Environmental Protection, CDR Mark Prescott, Executive Director of CFIVAC and LCDR Randy Clark, Assistant Executive Director of CFIVAC. The following Committee members were present:

Pete Aparicio      Peggy Barry

Linda Bonet      Joe Easley

Ginny Goblirsch      David Green

Donald Hall      James Herbert

Richard Hiscock      Leslie Hughes

Rutledge Leland      Sean Martin

Jimmy Martin, Sr.      Dennis Potter

Kathy Ruhle      Angela Sanfilippo

Lawrence Simms

The following Committee members were absent:

Julie Aydelotte      Jane Eisemann

The meeting was brought to order by Chairman Joe Easley. Introductions were made by the Committee and the new and re-appointed members were sworn in (new members: Rutledge Leland, Ginny Goblirsch and Sean Martin). The next order of business was to elect a new Chairman. Linda Bonet nominated Jim Herbert and Leslie Hughes nominated Pete Aparicio. CDR Prescott requested a written vote and the names were collected and counted. Jim Herbert was elected the new Chairman and a motion was made and seconded to elect Pete Aparicio Vice Chairman without a vote.

The floor was turned over to the Chairman, who then read the purpose and function of the Committee as described in the 1988 Fishing Vessel Safety Act. A discussion followed concerning the goals of the committee and the committee's role in boosting marine safety. Mr. Green suggested the committee examine the best way to make themselves productive. Mr. Hiscock recommended they review existing regulations and push those through that have already been revised by CFIVAC subcommittees. He would also like to see the 46 CFR Part 28 revision completed. As he recalled, it's been 4 years since suggested revisions were submitted to the CG and there has been no response. The Chairman read the 5 proposed task statements that had been mailed to members prior to the meeting and asked for comments. The tasks were categorized as follows:

Communications - Improve the delivery and availability of safety, education, and prevention through people information to the commercial fishing industry.

Operations\Regionalization - Clearly define regional issues and differences in the commercial fishing industry.

People/Safety Incentives - Reducing insurance rates on commercial fishing vessels.

Equipment & Standards - Improving equipment regulations and requirements for commercial fishing vessels.

Data and Analysis - Improving commercial fishing vessel casualty data.

There was some discussion over the People/Safety Incentives task. Ms. Bonet said that rates were already low and competition is high. The consensus among the committee was that this is an issue that has been explored before and does not seem likely to produce any positive results. The motion was made and seconded to delete this task. The task was removed with no replacement added, however, it

was agreed that the other groups would seek safety incentives within their task areas. The Chairman requested that members volunteer for the task groups. Members of each task group are as follows:

Communications

Ginny Goblirsch - Chairperson

Jim Herbert

Angela Sanfilippo

Julie Aydelotte   Pete Aparicio

Operations\Regionalization

Sean Martin - Chairperson

Larry Simns

Rutledge Leland

Equipment & Standards

Don Hall - Chairperson

Kathy Ruhle

Linda Bonet

Jane Eiseman

Data and Analysis

David Green - Chairperson

Leslie Hughes

Dennis Potter

Jimmy Martin

**Lunch Break**

CAPT Fuechsel gave a presentation on the Global Maritime Distress and Safety System (GMDSS). This system replaces the old Safety of Life at Sea (SOLAS) system. It is a new automated, global ship-to-shore alerting system which phases out manual morse telegraphy and dedicated radio officers. Thus far only vessels over 300 gross tons are required to install this system, however, CAPT Fuechsel believes in time that may change to include a larger section of the fishing fleet. Compliance date is February 1999. The issue of EPIRB's was touched on, specifically the value in search and rescue efforts, the improved reliability and the reduction in cost from years ago. CAPT Fuechsel also briefly mentioned the advantages of the 406 EPIRB verses the 121.5 EPIRB. The committee expressed some concern over cost to the fishing fleet and wanted to know if the Coast Guard would still monitor CH 16. CAPT Fuechsel assured them the Coast Guard would continue to monitor the radio, especially since GMDSS would not affect the pleasure boater.

Jen Blain addressed the group concerning the Prevention Through People (PTP) program. She said the group is focusing on receiving and passing information. She distributed a draft PTP communication plan to the committee members and requested they review and provide their input and suggestions, particularly with regard to potential sources for distributing information.

The Chairman directed each Task Group to elect a spokesperson and reminded them they were to decide if the task statements incorporated appropriate issues and not to attempt to solve the problem. The Committee then split into their Task Groups for the remainder of the day.

**September 1<sup>st</sup>**

The meeting was brought to order by the Chairman at 0930. He then turned the meeting over to RADM North. RADM North began by thanking everyone for attending the dinner the night before and welcomed the new members. He briefly touched on the Task Statements and expresses optimism on the direction and focus of these statements. He requested revised task statements be submitted to the Coast Guard by October 1<sup>st</sup>. He then addressed items from the previous meeting. RADM North discussed the initiative being undertaken by LCDR Ferguson to capture near miss incidents and use this information for accident prevention. In development are incentives for voluntary near miss reporting, as well as a database to capture the information received. He expects a prototype system within the next year.

Another issue RADM North feels directly impacts the fishing fleet is the focus over the next few years on the marine transportation system. Over the next few years deep draft vessels, commuter ferries and larger vessel traffic is expected to increase dramatically. There is a need to ensure ports and waterways can handle this increase. Environmental and safety efficiency of ports and waterways must be explored. In November a Secretary of Transportation Conference will be held in Washington, DC to plan for the future of ports and waterways. One hundred fifty stakeholders, which will include the fishing vessel community, will take part in that conference.

Mr. Ruhle provided an example of a near miss incident that he experienced while fishing off of NC, in which he could see no one in the wheelhouse. RADM North said he would like to have a meeting with all the committee chairpersons to discuss these types of issues.

Mr. Potter asked if there was going to be any future budget or personnel cuts and if there was anything the committee could do to enhance the Coast Guard's odds of increased funding. He asked if funding were decreased, how would that impact the committee? RADM North said in the event there are budget cuts, reduction in all programs would have to be considered, but he does not foresee any more personnel cuts since we already went through a major downsizing.

RADM North formally recognized outgoing committee members with public service awards. He presented Mr. Easley and Mr. Hiscock with Certificates of Merit and Ms. Barry with a Meritorious Public Service Award.

The ADM requested reports from the four task groups. Ginny Goblirsch reported for the Communications Task Group. She emphasized the flow of information should be circular and directed at port and community levels. The Federal Register is not a good form of communication to the fishing community. They see a need to reestablish a good communication and working relationship between the fishing industry and Coast Guard. The Coast Guard should learn from areas that have already established good relationships with the community. The Group recommends the Coast Guard forge a relationship with Sea Grant. They also see a need for responses to industry recommendations, which would encourage involvement. Accident reports should also be more widely distributed. Mr. Hiscock said NTSB accident reports can be found on the web and there is often a great deal of information missing from Coast Guard accident reports. Ms. Goblirsch said fishermen do find this information interesting and would read it if it were published by the Coast Guard. RADM North concurred with the committee's recommendation to publish accident summaries of some sort. Ms. Ruhle requested committee members respond to any negative articles about the committee if they see it in a publication.

Sean Martin reported for the Operations/Regionalization Task Group. The Group stressed that the American fishing industry is diverse and locally focused. They felt the Districts should contact appropriate agencies to identify fishing activities that may have interaction with the Coast Guard in their region. Identifying regional safety "hot spots" may also enable the Coast Guard to make better use of their limited resources. Perhaps a closer relationship with state and regional agencies would help to identify areas the Coast Guard may not have focused on in the past. Operational practices, equipment used, vessel design, size, and language barriers should all be included. The Coast Guard should attempt to establish standards for interaction in particular areas. The Group realizes this is easier to do in smaller communities. They also see a need to informalize Coast Guard interaction by wearing civilian attire while conducting business with industry.

Mr. Potter requested an example of an outdated regulation and Mr. Martin responded with the regulation requiring bells on fishing vessels.

Ms. Hughes believes the rotation of Coast Guard personnel can be a problem when establishing a relationship with industry in a particular region. She feels it works well to have a fishing vessel coordinator in various regions to provide continuity.

Don Hall reported for the Equipment and Standards Task Group. They agreed with the premise of the task statement, but suggested that perhaps we should partner with the U.S. Marine Safety Association for further assistance. They raised the question of life raft service intervals, and the possibility of extending the time between servicing. Also, there is a need for explanation of some of the expensive safety equipment requirements that do not seem necessary.

Greg Switlik explained that IMO and SOLAS established requirements for life rafts and servicing intervals and the Coast Guard merely assures compliance.

Ms. Goblirsch said there are often problems locating repacking stations in particular areas and that can add to the expense for servicing.

Dave Green reported for the Data and Analysis Task Group. Considerable data already exists, much of the problem is the analysis of this information. There is a limit to the capabilities of MSIS. Also, there is missing data in many of the reports entered in MSIS. There should be a requirement that all basic information be included in a report and that the investigating officer estimates the root cause of the accident. All reports should include regional information, as well as mention of any malfunctions in safety equipment. There should also be a central data system, instead of having data broken up into different ports so trends could be identified. Ultimately, the value of good data is to measure progress

and learn lessons, as well as to identify problems.

RADM North agreed with the Group's assessment. He suggested that we need to ask ourselves what we should and should not be investigating. Are we capturing the right information? Perhaps the CG-2692's should be tailored to capture regional information. The new Marine Safety Network will provide data not available on MSIS.

Task Group reports are concluded and Jeff Ciampa, Fishing Vessel Coordinator for the First District, was introduced. Mr. Ciampa was part of a study conducted using the inshore scallop fishery to investigate the relationship between fisheries equipment design and marine and occupational accidents in the Northeast. The investigators viewed the drag, towing wire, and gear-handling system as one component. This was a macro investigation with only acute injuries and capsizing included. Mr. Ciampa explained that there are two basic dragging systems, one off the stern and one over the side. Stern dragging presents a higher risk of capsizing, while side dragging yields a higher incidence of occupational injury. What they found was machinery was the root cause of both incidents. As part of their study, they went into the fishing communities and addressed groups of 10-15 people. They presented their perception of the problem,

and gained local views and recommendations. They determined that although some unsafe practices continue because "it has always been done that way", some of what was perceived as unsafe, was actually quite safe. Mr. Ciampa used the example of tying drag wire. What appears to be unsafe, since wire should not be tied, much less when it is going to receive the most stress when dragging, the fishermen explained they are actually ensuring the weak link is below the water surface, thus lowering the chance of injury on deck. This is an example of how there can be a miscommunication of risk. Mr. Ciampa concluded by noting thesis work is being conducted on the entire "work component" by the Coast Guard Academy, Masters students at the University of Michigan and the Harvard School of Public Health.

Mr. Green felt that Mr. Ciampa's presentation was very well put, and noted that many accidents should be classified as industrial versus marine.

Next Mike Dyer presented the VOLPE Study. The study was based on detailed risk assessment of 102 serious fishing vessel (less than 79') accidents from 1993-1997. First District was chosen for the study based on the large, diverse fleet in that area. Accident data was weighted on a numerical scale, with death rating 10 times higher than vessel loss. They concluded that operational and crew preparedness, and compromised watertight integrity were the primary hazards. These determinations will help direct the efforts of the Coast Guard in increasing the safety of the fishing fleet in this area. The next steps in the study are to develop a safety index based on the Portland fishing fleet and the risk assessment results, and use it in conjunction with the voluntary inspection program. They also concluded there is a need for more consistency in casualty investigations and recommended investigation protocol be established.

Don Terrel explained the NTSB recommendation process to the Committee. He said it can take up to one year to conduct a single investigation. It is conducted by a team comprised of professional mariners or people with other credentials associated with the marine industry. Most of their recommendations are made to the Coast Guard, but they may also be presented to ABS, Marine Associations, American Waterway Operations, and International Council of Cruise Lines. He feels the CFIVAC represents the best cross section of the fishing community, therefore it is a good group to review NTSB reports and provide feedback. The NTSB has a staff just for receiving feedback on their recommendations. They realize there is not always just one solution to each accident investigation and scrutinize responses for possible alternative recommendations. They assign tracking numbers to all responses and enter them into the NTSB database.

The Committee discussed options for disseminating NTSB recommendations. The motion was made by Mr. Green recommending that the Coast Guard review and distribute NTSB reports. He felt the Committee should not be used as a dissemination mechanism for these reports, however they would still like to receive the reports. Mr. Leland seconded the motion. It was concluded that the Coast Guard should distribute the information so that it does not appear that the CFIVAC is making or endorsing the NTSB recommendations.

Ms. Hughes expressed concern over past summaries that were published that stated the CFIVAC members were advised of recommendations, when in fact, they had never received them. Mr. Easley concurred. Mr. Terrell apologized and said steps had been taken to prevent future incidents.

Ms. Barry stated that she believes the study NTSB conducted on uninspected fishing vessels in 1986 aided in the passing of the Fishing Vessel Safety Bill.

Mr. Potter began a discussion on F/V ALASKA SPIRIT NTSB recommendations by saying he concurs with the recommendation, except for the part requiring sprinklers on vessels. He indicated that this would be more hazardous than helpful. The Committee agrees. Mr. Easley also indicated that smoke detectors would be useless on vessels which have crewmembers that smoke.

Task statements and timeframes were reviewed and the action items were addressed.

## **ACTION ITEMS**

Each Subcommittee Chairperson is to submit a report on subcommittee changes made to the TASK STATEMENT to the Coast Guard by September 23, 1998.

All committee members are to submit their thoughts and suggestions on the TASK STATEMENTS to the Coast Guard by September 23, 1998.

The minutes of the meeting are to be distributed by the Coast Guard by October 1, 1998.

The Coast Guard will return the revised TASK STATEMENTS to all committee members by 16 October 1998.

Committee members will review the drafts of the TASK STATEMENTS and return any final changes to the Coast Guard by November 6, 1998.

The subcommittee will work on all TASK STATEMENT objectives and submit responses and recommendations to the Coast Guard by February 1, 1999.

The Coast Guard will prepare responses to recommendations and suggestions by March 1, 1999.

Mr. Herbert requested the following from CDR Prescott and LCDR Clark:

Send the Committee members a copy of the Memorandum of Understanding between OSHA and the Coast Guard.

Update the motions by the Committee and actions taken by the Coast Guard.

Keep the Committee informed of progress on stability regulations, booklets and damage control trainers.

CDR Prescott requested recommendations for the location of the next committee meeting to be held some time the week of March 22-26, 1999. Ms. Sanfilippo suggested Gloucester, MA. Ms. Ruhle suggested the Newport News area. Cost comparisons will be done for these and other areas to determine location.

Each member briefly commented on his or her overall impression of the meeting, which was generally positive. Special thanks was given to the departing members for their past efforts with the committee.

The meeting concluded at 1630.

---

JAMES HERBERT

Chairman

---

CDR M. A. PRESCOTT

Executive Director